



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

The application of:) Attorney Docket No. 911568660001
Jerry Pettersson)
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Application No.: 10/618,010)
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Filed: July 11, 2003)
)
For: A HANDHELD DEVICE AND A)
METHOD)
)
Examiner: Holton, Steven E.)
)
Art Unit: 2673)
)
Confirmation No.: 4389)

REMARKS

Claims 4-10 and 14-20 have been cancelled and new Claims 21 and 22 have been added so that Claims 1-3, 11-13, 21 and 22 are now in the application.

In the first paragraph of the office action the Examiner has stated that the list of references in the specification is not a proper disclosure statement. Enclosed is an updated copy of Form PTO 1449 (now PTO/SB/08A) and a copy of U. S. Patent 5,526,481 filed with the application on July 11, 2003. It is believed that the information disclosure statement filed originally with the application meets the requirements of 37 CFR sections 1.97 and 1.98. Reconsideration by the Examiner is respectfully requested.

In paragraph 2 of the office action, objection is made to the drawings. All of the Claims mentioned in relation to the drawing, Claims 4, 5, 6, 7, 8, 9, 10, 14, 15, 16, 17, 18, 19 and 20, have been cancelled. It is believed that the objection is therefore obviated.

Claims 2 and 12 , as well as 9 and 19 have been rejected under 35 USC 112, for failing to comply with the enablement requirement. The references to "Arcadian display environments"

have been changed to the terms "game" or "arcade-style game." It is obvious that the individual drafting the subject application has confused the words "arcade" and "Arcadian".

Claims 9 and 19 have been cancelled so that it is believed the rejection relating to these Claims has been obviated.

Claims, 1, 3, 4, 11, 13 and 14 have been rejected under Section 35 USC 103 as being unpatentable over Rudell, et al. US 6,2000,219. This rejection is respectfully traversed. Claims 1 and 11, the only independent claims in the application, have been amended by adding the terms "digital camera" and "camera zooming" among other things (reference to these terms are found in specification paragraphs 0017, 0036, 0039 and original claim 10.)

Rudell describes a hand-held electronic device and associated method with a position sensing means on its rear portion. However, the invention there is different from that which is now claimed in the subject application. There is no teaching or suggestion in Rudell of providing position information in the z-direction by using a digital camera or by means of the zoom feature of such a camera. The Claims in the application now include the language that "there are means for deploying scale factors for height measurement by means of the digital camera provided by camera zooming which automatically provides scale factors from one image to another and which provides the device with z-axis coordinates."

The use of the Lee reference (identified below) still does not teach or suggest amended claims 1 and 11. Lee discloses an optical mouse (FIG. 2B). However, neither Rudell nor Lee discloses the use of "camera zooming" so that even if Lee and Rudell are combined, there is no teaching or suggestion to do what applicant now claims.

The Examiner is respectfully requested to reconsider the rejection of Claims 1, 3 and 11. The other rejected Claims have been cancelled.

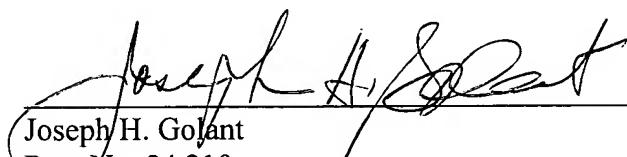
Claims 6-8 and 16-18 have been rejected under Section 103 as being unpatentable over Rudell in view of Lee, US 6, 392, 632. Claims 6-8 and 16-18 have been cancelled so that the rejection is obviated.

Claims 10 and 20 have been rejected under Section 103 as being unpatentable over Rudell in view of Lee and further in view of Nakada, et al. Japanese patent 04336445. Because Claims 10 and 20 have been cancelled, this rejection also has been obviated.

In view of the above comments, it is believed that none of the prior art individually or in combination teaches or suggests the limitations which are now in independent Claims 1 and 11. The Examiner is respectfully requested to reconsider the relevant rejections and indicate allowance.

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Respectfully submitted,


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